

FILED **7/17/2021** **JG**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

RACHEL M. HUBBARD

)	
)	
Plaintiff pro se)	Case No.: 1:20-cv-06680
)	
v.)	Judge Edmond E. Chang
)	
GASPEREC ELBERTS)	Magistrate Judge Susan E. Cox
CONSULTING, LLC)	
)	
Defendant)	

PLAINTIFF'S MOTION FOR LEAVE TO FILE

MOTION FOR AN EXTENSION OF DISCOVERY DEADLINES

Plaintiff pro se, Rachel M. Hubbard (“Plaintiff” or “Plaintiff pro se”), hereby seeks Leave of the Court to File Motion for an Extension of Discovery Deadlines so that she may add Defendants Christopher B. Burke, individually and dba Christopher B. Burke Engineering LTD. Plaintiff’s proposed Motion For an Extension of Discovery Deadlines is attached hereto as Exhibit B.

1. Plaintiff’s proposed motion to extend discovery deadlines is not brought in bad faith, and is not interpreted for an improper purpose, for harassment or delay in proceedings. Plaintiff requests that this Magistrate extend the deadline for fact discovery add Proposed Defendants Christopher B. Burke, individually, and dba Christopher B. Burke LTD as Defendants, serve Defendants a summons and the Complaint and to allow Defendants to respond. In the event this Magistrate grants Plaintiff’s motion, she has proposed the following date for consideration.

1. On June 2, 2021, Plaintiff served upon Defendant her Second RFP requesting GEC's liability insurance.

2. On July 2, 2021, Defendant produced new documents which showed Christopher B. Burke Engineering, LTD as the insured.

3. On July 16, 2021, Plaintiff sought Leave to File a Motion to add Christopher B. Burke, individually, and dba Christopher B. Burke, LTD.

4. On July 17, 2021, Plaintiff refiled her Motion to Amend her Complaint after noting some errors.

5. Plaintiff believes that if the Court grants Plaintiff's request to add Christopher B. Burke, individually, and dba Christopher B. Burke, LTD as Defendants, Plaintiff will need to serve a summons upon the proposed Defendants and time will be needed to allow the Christopher Burke to respond to the Complaint.

6. The current deadline for fact discovery is July 17, 2021.

7. Plaintiff's proposed deadline for fact discovery is August 6, 2021.

8. Granting this Plaintiff's Motion is necessary based on the new information Defendant provided and is relevant to plaintiff's proposed Motion to Amend Complaint and Add Parties. Granting Plaintiff's Motion to extend the fact discovery deadline will further the interest of justice and fulfill the purpose of the discovery rules, ensuring that the parties appear at trial with a full understanding of the facts and anticipated testimony. Kelch v. Mass Transit Admin., 287 Md. 223, 229 (1980) ("the basic objective in providing for discovery is 'to require disclosure of facts by a party litigant to all of his adversaries, and thereby to eliminate, as far as possible, the necessity of any party to litigation going to trial in a confused or muddled state of mind, concerning the facts that give rise to litigation.'")

9. Plaintiff conferred with Defendant's attorneys pursuant to Local Rule 37.2 via telephone on July 8, 2021. Defendant's attorneys oppose Plaintiff's request to extend the discovery deadline.

For the reasons stated above, Plaintiff respectfully requests the Court Grant her Leave to File Motion to Extend Discovery Deadlines in the event this Court grants her request to amend her Complaint.

DATED: July 17, 2021

Respectfully Submitted by:

/S/ Rachel M. Hubbard
Rachel M. Hubbard, Plaintiff pro se

Rachel M. Hubbard
615 W. Talcott Road, #1
Park Ridge, Illinois 60068
847-361-8807
Hubbard2000@att.net

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2021, Plaintiff served upon Defendant her Motion For Leave to File Motion to Extend Discovery Deadlines via email at the following addresses. Defendant has asked Plaintiff not to provide paper copies due to Covid-19 conditions.

Ms. Kearney Kilens
kilens@litchfieldcavo.com

Ms. Victoria Vanderschaaf
vanderschaaf@litchfieldcavo.com

DATED: July 17, 2021

Respectfully Submitted by:

/S/ Rachel M. Hubbard
Rachel M. Hubbard, Plaintiff pro se

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EXHIBIT B

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GASPEREC ELBERTS)	Magistrate Judge Susan E. Cox
CONSULTING, LLC)	
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Defendant)	

PLAINTIFF'S MOTION
FOR AN EXTENSION OF DISCOVERY DEADLINE

Plaintiff pro se, Rachel M. Hubbard (“Plaintiff” or “Plaintiff pro se”), respectfully moves the Court to extend the time permitted for discovery under the Scheduling Order by three weeks and to modify the dates under the Scheduling Order accordingly. Plaintiff makes this request so that she may add Defendants Christopher B. Burke, individually and dba Christopher B. Burke Engineering LTD. Plaintiff’s proposed Motion For an Extension of Discovery Deadlines is attached hereto as Exhibit B.

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4. On July 17, 2021, Plaintiff refiled her amended complaint after noting some errors.
5. Plaintiff believes if the Court grants Plaintiff's request to add Christopher B. Burke, individually, and dba Christopher B. Burke, LTD as Defendants, Plaintiff will need to serve a summons upon the proposed Defendants.
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8. Granting Plaintiff's Motion is necessary based on the new information Defendant provided and is relevant to plaintiff's proposed Motion to Amend Complaint and Add Parties. Granting Plaintiff's Motion to extend the fact discovery deadline will further the interest of justice and fulfill the purpose of the discovery rules, ensuring that the parties appear at trial with a full understanding of the facts and anticipated testimony. *Kelch v. Mass Transit Admin.*, 287 Md. 223, 229 (1980) ("the basic objective in providing for discovery is 'to require disclosure of facts by a party litigant to all of his adversaries, and thereby to eliminate, as far as possible, the

necessity of any party to litigation going to trial in a confused or muddled state of mind, concerning the facts that give rise to litigation.")

9. Plaintiff conferred with Defendant's attorneys pursuant to Local Rule 37.2 via telephone on July 8, 2021. Defendant's attorneys have provided their objections.

DATED: July 17, 2021

Respectfully Submitted by:

/S/ Rachel M. Hubbard
Rachel M. Hubbard, Plaintiff pro se

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